



Atty. Dkt. No. 023971-0381

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Tetsurou TAYU *et al.*  
Title: RARE EARTH MAGNET,  
PROCESS FOR PRODUCING  
SAME, AND MOTOR USING  
RARE EARTH MAGNET  
Appl. No.: 10/809,422  
Filing Date: 03/26/2004  
Examiner: John P. Sheehan  
Art Unit: 1742

**TERMINAL DISCLAIMER**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

| 04/08/2005 SZEWDIE1 00000083 10809422  
| 01 FC:1814 130.00 OP

Your Petitioner, NISSAN MOTOR CO., LTD. , having its principal place of business at 2, Takara-cho, Kanagawa-ku, Yokohama-shi, Kanagawa 221-0023 Japan , represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 10/809,422 filed March 26, 2004, by virtue of an Assignment filed and recorded on March 26, 2004, on Reel/Frame 015143/0279, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX A. Further, your Petitioner represents that it is the owner of U.S. Patent Application No. 10/600,602, filed June 23, 2003, by virtue of an Assignment filed and recorded on June 23, 2003, on Reel/Frame 014224/0373, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX B.

Your Petitioner, NISSAN MOTOR CO., LTD. , hereby disclaims the terminal part of the term of any patent granted on U.S. Patent Application 10/809,422 which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of any patent

granted on U.S. Patent Application 10/600,602, and hereby agrees that any patent so granted on U.S. Patent Application 10/809,422 shall be enforceable only for and during such period that the legal title to any patent granted on U.S. Patent Application 10/600,602 shall be the same as the legal title to any patent granted on U.S. Patent Application 10/809,422, this agreement to run with any patent granted on U.S. Patent Application 10/809,422 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on U.S. Patent Application 10/809,422, prior to the full statutory term of any patent granted on U.S. Patent Application 10/600,602 as defined in 35 U.S.C. §§154-156 and 173, in the event that any patent granted on U.S. Patent Application 10/600,602 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of any patent granted on U.S. Patent Application 10/600,602 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on U.S. Patent Application 10/809,422 that would extend beyond the present termination of any patent granted on U.S. Patent Application 10/600,602, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on U.S. Patent Application 10/809,422 to the extent provided by law.

The undersigned, being the Attorney of Record for U.S. Patent Application 10/809,422, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the Assignments attached as APPENDICES A and B, and to the best of his knowledge and belief, legal title to U.S. Patent Application 10/809,422 and any patent granted on U.S. Patent Application 10/600,602 rests with Petitioners, NISSAN MOTOR CO., LTD. . The undersigned declares that all statements made herein of his own knowledge are true and that all

statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Respectfully submitted,

Date 7 April 2008  
FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5540  
Facsimile: (202) 672-5399

By S. A. Kent, Reg #29,768  
Richard L. Schwaab  
Attorney for Applicants  
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Paul D. Strain  
Attorney for Applicants  
Registration No. 47,369

FORM PTO-1595 (modified)

(Rev 6-93)

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Patent and Trademark Office

04-01-2004



102710119

:ET

To the Director of the United States Patent and

Please record the attached original documents or copies thereof.

## 1. Name of conveying party(ies):

Tetsurou TAYU (3/5/2004)  
 Hideaki ONO (Deceased) by Takae ONO, Legal  
 Representative (3/10/2004)  
 Makoto KANO (3/5/2004)  
 Munekatsu SHIMADA (3/5/2004)  
 Yoshio KAWASHITA (3/5/2004)  
 Takeshi YAMAUCHI (3/12/2004)

Additional conveying party(ies)

NO

## 3. Nature of conveyance:

ASSIGNMENT

Execution Date:

See dates above

## 2. Name and address of receiving party(ies):

NISSAN MOTOR CO., LTD.  
 2, Takara-cho, Kanagawa-ku  
 Yokohama-shi, Kanagawa 221-0023 Japan

Additional name(s) &amp; address(es) attached?

NO

## 4. Application number(s) or patent number(s):

If this is being filed together with a new application, the execution date of the application is:

March 5, 10 and  
 12, 2004

A. Patent Application Number(s):

10809422

B. Patent Number(s):

Additional numbers attached? NO

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Richard L. Schwaab  
 FOLEY & LARDNER LLP  
 Washington Harbour  
 3000 K Street, N.W., Suite 500  
 Washington, D.C. 20007-5143

## 6. Total number of applications/patents involved:

1

## 7. Total fee (37 C.F.R. § 3.41):

\$40.00

☒ Check Enclosed

Charge to deposit account

## 8. Deposit account number:

19-0741

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## 9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.

Richard L. Schwaab

March 26, 2004

Name of person signing

Signature

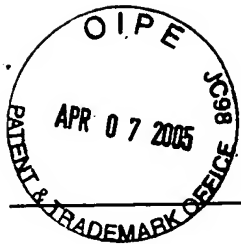
Date

Total number of pages including cover sheet, attachments, and document: 3

03/29/2004 JADD01 00000032 10809422

02 FD:8021

40.00 DP



**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEPTEMBER 17, 2004

PTAS



\*102710119A\*

FOLEY & LARDNER LLP  
RICHARD L. SCHWAAB  
3000 K STREET, N.W., SUITE 500  
WASHINGTON HARBOUR  
WASHINGTON, DC 20007-5143

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/26/2004

REEL/FRAME: 015143/0279  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: 023971-0381

ASSIGNOR:  
TAYU, TETSUROU

DOC DATE: 03/05/2004

ASSIGNOR:  
ONO, HIDEAKI (DECEASED) BY TAKAE  
ONO, LEGAL REPRESENTATIVE

DOC DATE: 03/10/2004

ASSIGNOR:  
KANO, MAKOTO

DOC DATE: 03/05/2004

ASSIGNOR:  
SHIMADA, MUNEKATSU

DOC DATE: 03/05/2004

ASSIGNOR:  
KAWASHITA, YOSHIO

DOC DATE: 03/05/2004

015143/0279 PAGE 2

ASSIGNOR:

YAMAUCHI, TAKESHI

DOC DATE: 03/12/2004

ASSIGNEE:

NISSAN MOTOR CO., LTD.  
2, TAKARA-CHO, KANAGAWA-KU  
YOKOHAMA-SHI, KANAGAWA 221-0023

JAPAN

SERIAL NUMBER: 10809422

FILING DATE: 03/26/2004

PATENT NUMBER:

ISSUE DATE:

TITLE: RARE EARTH MAGNET, PROCESS FOR PRODUCING SAME, AND MOTOR USING RARE  
EARTH MAGNET

MARCUS KIRK, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

## ASSIGNMENT

P03NM-127US/02-03051

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

name and address of assignee *NISSAN MOTOR CO., LTD.  
2, Takaro-cho, Kanagawa-ku  
Yokohama-shi, Kanagawa 221-0023 Japan*

(hereinafter ASSIGNEE) all right, title and interest for the United States, its territories and possessions in and to this invention relating to

title of invention *RARE EARTH MAGNET, PROCESS FOR PRODUCING SAME, AND  
MOTOR USING RARE EARTH MAGNET*

as set forth in this United States Patent Application

check one ☒ executed concurrently herewith  
☐ executed on \_\_\_\_\_  
☐ Serial No. \_\_\_\_\_ Filed \_\_\_\_\_

in and to said United States Patent Application including any and all divisions or continuations thereof and in and to any and all Letters Patent of the United States which may issue on any such application or for said invention, including any and all reissues or extensions thereof, to be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not been made;

Each of the undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all such Letters Patent to said ASSIGNEE, its successors or assigns in accordance herewith;

Each of the undersigned warrants and covenants that he has the full and unencumbered right to sell and assign the interests herein sold and assigned and that he has not executed and will not execute any document or instrument in conflict herewith;

Each of the undersigned further covenants and agrees he will communicate to said ASSIGNEE, its successors, legal representatives or assigns all information known to him relating to said invention or patent application and that he will execute and deliver any papers, make all rightful oaths, testify in any legal proceedings and perform all other lawful acts deemed necessary or desirable by said ASSIGNEE, its successors, legal representatives or assigns to perfect title to said invention, to said application including divisions and continuations thereof and to any and all Letters Patent which may be granted therefor or thereon, including reissues or extensions, in said ASSIGNEE, its successors, or assigns or to assist said ASSIGNEE, its successors, legal representatives or assigns in obtaining, reissuing or enforcing Letters Patent of the United States for said invention;

Each of the undersigned hereby grants the firm of **FOLEY & LARDNER** the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

<b>NAMES AND SIGNATURES OF INVENTORS</b>		
Name: Tetsurou TAYU	Signature: <i>Tetsurou Tayu</i>	Date: 3/5/2004
Name: Hideaki ONO (Deceased)	I, Takae ONO, wife of Hideaki Ono (deceased), am signing this Assignment as the legal representative of Mr. Ono. The foregoing statements in this Assignment are made based on information and belief of the undersigned.	
Name of Legal Representative: Takae ONO	Signature: <i>Takae Ono</i>	Date: 3/10/2004
Name: Makoto KANO	Signature: <i>Makoto Kano</i>	Date: 3/5/2004
Name: Munekatsu SHIMADA	Signature: <i>Munekatsu Shimada</i>	Date: 3/5/2004
Name: Yoshio KAWASHITA	Signature: <i>Yoshio Kawashita</i>	Date: 3/5/2004
Name: Takeshi YAMAUCHI	Signature: <i>Takeshi Yamauchi</i>	Date: 3/12/2004
<b>NAMES AND SIGNATURES OF WITNESSES</b>		
Name:	Signature:	Date:
Name:	Signature:	Date:

\*Note: *Prima facie* evidence of execution may optionally be obtained by execution of this document before a U.S. Consul or before a local officer authorized to administer oaths whose authority is proved by a certificate from a U.S. Consul.